

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA

v.

No. 3:21-CR-326-E

WILLIAM ROY STONE, JR. (1)
JOSEPH EVENTINO DELEON (2)

**GOVERNMENT'S NOTICE OF INTENT TO OFFER
EVIDENCE PURSUANT TO FED. R. EVID. 902(14)**

The United States of America ("the government") hereby notifies the defendants of its intention to offer evidence under Fed. R. Evid. 902(14) during its case-in-chief.

The Federal Rules of Evidence provide:

The following items of evidence are self-authenticating; they require no extrinsic evidence of authenticity in order to be admitted:

. . . .

(14) Certified Data Copied from an Electronic Device, Storage Medium, or File. Data copied from an electronic device, storage medium, or file, if authenticated by a process of digital identification, as shown by a certification of a qualified person that that complies with the certification requirements of Rule 902(11) or (12). The proponent also must meet the notice requirements of Rule 902(11).

Fed. R. Evid. 902(14).

The following are the self-authenticating exhibits that the government intends to offer during its case-in-chief pursuant to Rule 902(14):

Description	Affidavit
<p>Fort Worth Police Department Cellebrite Extraction and Report for Apple iPhone 6S bearing IMEI 353300072374744, 817-313-7611 (DeLeon) (GX 26)</p> <p>Photo of 2014 Ford F-150 pickup extracted from Apple iPhone 6S (GX 22)</p> <p>Photos of 3x5 cards extracted from Apple iPhone 6S (GX 30)</p> <p>Text messages between DeLeon and Stone extracted from Apple iPhone 6S (GX 37)</p> <p>Text messages between DeLeon and C.T. extracted from Apple iPhone 6S (GX 38)</p>	<p>Ex. A Affidavit of Troy Lawrence</p>
<p>DOJ-OIG Examination and Extraction Report for Apple iMac, bearing Serial Number C02TK1ZJJ1GH (GX 27)</p> <p>Spoof call recording on June 18, 2019 extracted from Apple iMac (GX 56)</p> <p>“DEA – Jordan Green” voice messages on June 29, 2019 extracted from Apple iMac (GX 90)</p> <p>Text messages between Stone and C.T. with “Dr. Bryan funeral” photos sent to C.T. extracted from Apple iMac (GX 118)</p> <p>Browsing history: Courtroom sounds, extracted from Apple iMac (GX 138)</p> <p>Browsing history: Spoof calling, extracted from Apple iMac (GX 139)</p> <p>Browsing history: Helicopter sounds, extracted from Apple iMac (GX 140)</p>	<p>Ex. B Affidavit of Bradley Leonard</p>
<p>DOJ-OIG Cellphone Examination Results and Cellebrite Extraction Report and Supplemental Report for Apple iPhone 8 Plus, bearing IMEI 356712080649965, 202-697-2932 (Stone) (GX 107)</p>	<p>Ex. C Affidavit of Harry Lidsky</p>
<p>DOJ-OIG Cellphone Examination Results and Cellebrite Extraction Report for Apple iPhone X, bearing IMEI 353054096588231, 214-422-2863 (Stone) (GX 108)</p>	<p>Ex. D Affidavit of Harry Lidsky</p>

<p>Hood County Sheriff's Office Cellebrite Extraction for Apple iPhone Xs Max (A1921), bearing IMEI 357277093843863 (Weisend) (GX 110)</p> <p>Recorded calls extracted from Apple iPhone Xs:</p> <ul style="list-style-type: none"> • between Stone and C.T. dated Aug. 20, 2019 (GX 63), Aug. 21, 2019 (GX 65), Aug. 30, 2019 (GX 67), Nov. 21, 2019 (GX 77), Dec. 12, 2019 at 11:38 a.m. (GX 79), Aug. 2, 2019 (GX 81), Aug. 4, 2019 (GX 141), Aug. 8, 2019 (GX 143), Aug. 18, 2019 at 10:08 p.m. (GX 145), Aug. 11, 2019 (GX 147), Aug. 12, 2011 (GX 149), Aug. 18, 2019 at 3:57 p.m. (GX 151) • between DeLeon and C.T. dated Sept. 3, 2019 (GX 69), Sept. 12, 2019 (GX 71), Sept. 27, 2019 (GX 73), Sept. 28, 2019 (GX 75) 	<p>Ex. E Affidavit of Guy Reynolds</p>
<p>DOJ-OIG forensic extraction of Black Olympus VN-541PC 4.0GB Digital Recorder, bearing serial number 100648315 (GX 120)</p> <p>Recording of phone call between Stone and psychic extracted from Olympus Digital Recorder (GX 116)</p>	<p>Ex. F Affidavit of Bradley Leonard</p>
<p>DOJ-OIG Cellphone Examination Results and Cellebrite Extraction Report for Apple iPhone 5s, bearing IMEI 013967000516372 (C.T.) (GX 121)</p> <p>Photos of 3x5 cards extracted from Apple iPhone 5s (GX 29)</p>	<p>Ex. G Affidavit of Bradley Leonard</p>
<p>DOJ-OIG Cellphone Examination Results and Cellebrite Extraction Report for Apple iPhone 6s Plus, bearing IMEI 353297073695418 (C.T.) (GX 122)</p> <p>Photos of 3x5 cards extracted from Apple iPhone 6s Plus (GX 88)</p> <p>Voice message of DeLeon to C.T. extracted from Apple iPhone 6s Plus (GX 124)</p>	<p>Ex. H Affidavit of Bradley Leonard</p>

The foregoing exhibits were previously provided to the defendants and have accompanying certifications complying with the requirements of Fed. R. Evid. 902(14), which are attached to this Notice as Exhibits A through H.

Respectfully submitted,

LEIGHA SIMONTON
UNITED STATES ATTORNEY

s/ Katherine Miller

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CERTIFICATE OF SERVICE

I hereby certify that on February 8, 2023, I electronically filed the foregoing document with the Clerk of Court for the United States District Court, Northern District of Texas, using the electronic case filing system of the Court. The electronic case filing system sent a “Notice of Electronic Filing” to all attorney(s) of record who have consented in writing to accept this Notice as service of this document by electronic means.

s/ Katherine Miller

KATHERINE MILLER
Assistant United States Attorney

EXHIBIT A

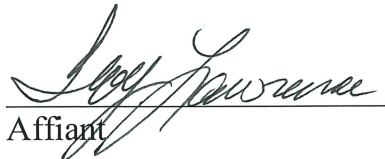
Certificate of Authenticity Pursuant to Federal Evidence Rule 902(14)

I, Troy Lawrence, attest, under the penalty of perjury by the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information contained in this certification is true and correct. I am employed by Fort Worth Police Department, and my title is Sergeant. I am a qualified person because I have worked in the field of computer forensics for 22 years, I have been trained in the process of forensic data collection and have made hundreds of forensic images. My current duties include supervising the Fort Worth Police Department's digital forensics lab and the authorized imaging or extracting of data from numerous types of electronic devices, including mobile devices and cellular telephones. Because of my position and specialized training, I am authorized and qualified to make this declaration as a "qualified person" under Fed. R. Evid. 902(14).

I certify that the attached data is a true copy of the original data described below, as shown by the following:

- a. The original data was extracted from an Apple iPhone 6S bearing IMEI 353300072374744.
- b. The extracted data was verified to be a true copy of the original data by a process of digital identification, to wit: the data was collected using a Graykey device and extraction software, which uses a proprietary method to extract the data. The data was then processed using software from Cellebrite. The Cellebrite software uses a proprietary method to process the data.
- c. The review product below is a processed copy of the data extracted that I am certifying: CPFL-20-349.zip. (Exhibit # 26). Included in this zip file is a text document named Hash Values.doc that contains a unique MD5 hash value of that zip file. This hash value is used to authenticate the zip file to ensure that no changes have been made.
- d. I further certify that Government Exhibits 22, 30, 37, and 38 consist of files and other information extracted from the above-described electronic device.

I further state that this certification is intended to satisfy Fed. R. Evid. 902(14).


Affiant

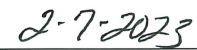

Date

EXHIBIT B

Certificate of Authenticity Pursuant to Federal Evidence Rule 902(14)

I, Bradley Leonard, attest, under the penalty of perjury by the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information contained in this certification is true and correct. I am employed by the Department of Justice – Office of Inspector General, and my title is Lead Information Technology Specialist. I am a qualified person because I have worked in the field of computer forensics for 11 years, I have been trained in the process of forensic data collection, and have made hundreds of forensic images. My current duties include the authorized imaging or extracting of data from numerous types of electronic devices, including mobile devices, cellular telephones, and computers, including Apple iMac computers. Because of my position and specialized training, I am authorized and qualified to make this declaration as a “qualified person” under Fed. R. Evid. 902(14).

I certify that the attached data is a true copy of the original data described below, as shown by the following:

- a. The original data was extracted from an Apple iMac (A1419), bearing Serial Number C02TK1ZJJ1GH.
- b. The extracted data was verified to be a true copy of the original data by a process of digital identification, to wit: the data was collected using a BlackBag MacQuisition device and extraction software, which uses a proprietary method to extract the data. The data was then processed with BlackBag Blacklight and Magnet Axiom software, which uses a proprietary method to process the data.
- c. The review product below is a processed copy of the data extracted that I am certifying:
 1. Macintosh HD Image.E01 (Exhibit # 27).
- d. I further certify that Government Exhibits 56, 90, 118, 138, 139, 140 consist of files and other information extracted from the above-described electronic device.

I further state that this certification is intended to satisfy Fed. R. Evid. 902(14).


Affiant

02/08/2023
Date

EXHIBIT C

Certificate of Authenticity Pursuant to Federal Evidence Rule 902(14)

I, Harry Lidsky, attest, under the penalty of perjury by the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information contained in this certification is true and correct. I am employed by the Department of Justice – Office of Inspector General, and my title is Assistant Special Agent in Charge. I am a qualified person because I have worked in the field of computer forensics for 11 years, I have been trained in the process of forensic data collection, and have made hundreds of forensic images. My current duties include overseeing the operations and investigations of DOJ-OIG's Cyber Investigations Office, as well as the authorized imaging or extracting of data from numerous types of electronic devices, including mobile devices and cellular telephones. Because of my position and specialized training, I am authorized and qualified to make this declaration as a "qualified person" under Fed. R. Evid. 902(14).

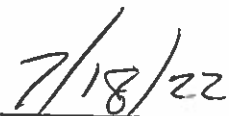
I certify that the attached data is a true copy of the original data described below, as shown by the following:

- a. The original data was extracted from an Apple iPhone 8 Plus, bearing IMEI 356712080649965.
- b. The extracted data was verified to be a true copy of the original data by a process of digital identification, to wit: the data was collected using a Graykey device and extraction software, which uses a proprietary method to extract the data. The data was then processed using software from Cellebrite. The Cellebrite software uses a proprietary method to process the data.
- c. The review product below is a processed copy of the data extracted that I am certifying:
 1. 2f5c9b2551b4e0ecfc4c3a8eb7636de37d45150a_files_full.zip (Exhibit # 107).

I further state that this certification is intended to satisfy Fed. R. Evid. 902(14).



Affiant



Date

EXHIBIT D


Certificate of Authenticity Pursuant to Federal Evidence Rule 902(14)

I, Harry Lidsky, attest, under the penalty of perjury by the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information contained in this certification is true and correct. I am employed by the Department of Justice – Office of Inspector General, and my title is Assistant Special Agent in Charge. I am a qualified person because I have worked in the field of computer forensics for 11 years, I have been trained in the process of forensic data collection, and have made hundreds of forensic images. My current duties include overseeing the operations and investigations of DOJ-OIG's Cyber Investigations Office, as well as the authorized imaging or extracting of data from numerous types of electronic devices, including mobile devices and cellular telephones. Because of my position and specialized training, I am authorized and qualified to make this declaration as a "qualified person" under Fed. R. Evid. 902(14).

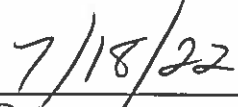
I certify that the attached data is a true copy of the original data described below, as shown by the following:

- a. The original data was extracted from an Apple iPhone X, bearing IMEI 353054096588231.
- b. The extracted data was verified to be a true copy of the original data by a process of digital identification, to wit: the data was collected using a Graykey device and extraction software, which uses a proprietary method to extract the data. The data was then processed using software from Cellebrite. The Cellebrite software uses a proprietary method to process the data.
- c. The review product below is a processed copy of the data extracted that I am certifying:
 1. d0a8dfe5184f3cb55a42bc85ae8134f958acdc95_files_full.zip (Exhibit # 108).

I further state that this certification is intended to satisfy Fed. R. Evid. 902(14).



Affiant



Date

EXHIBIT E

Certificate of Authenticity Pursuant to Federal Evidence Rule 902(14)

I, Guy Reynolds, attest, under the penalty of perjury by the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information contained in this certification is true and correct. I am employed by Hood County Sheriff's Office, and my title is Criminal Investigation Division Sergeant. I am a qualified person because I have worked in the field of electronic forensics for eight years, I have been trained in the process of forensic data collection and have made hundreds of forensic images. My current duties include assisting the CID lieutenant in supervising other Hood County Sheriff's Office investigators, and the authorized imaging or extracting of data from numerous types of electronic devices, including mobile devices and cellular telephones. Because of my position and specialized training, I am authorized and qualified to make this declaration as a "qualified person" under Fed. R. Evid. 902(14).

I certify that the attached data is a true copy of the original data described below, as shown by the following:

- a. The original data was extracted from an Apple iPhone Xs Max (A1921), bearing IMEI 357277093843863.
- b. The extracted data was verified to be a true copy of the original data by a process of digital identification, to wit: the data was collected using a Universal Forensic Extraction Device (UFED Touch 2) and extraction software, which uses a proprietary method to extract the data. The data was then processed using software from Cellebrite. The Cellebrite software uses a proprietary method to process the data.
- c. The review product below is a processed copy of the data extracted that I am certifying:
 1. Apple_iPhone Xs Max(A1921)_2020-01-16_Report.pdf (Exhibit # 110).
- d. I further certify that Government Exhibits 63, 65, 67, 69, 71, 73, 75, 77, 79, 81, 141, 143, 145, 147, 149, and 151 consist of files and other information extracted from the above-described electronic device.

I further state that this certification is intended to satisfy Fed. R. Evid. 902(14).


Affiant

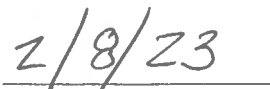

Date

EXHIBIT F

Certificate of Authenticity Pursuant to Federal Evidence Rule 902(14)

I, Bradley Leonard, attest, under the penalty of perjury by the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information contained in this certification is true and correct. I am employed by the Department of Justice – Office of Inspector General, and my title is Lead Information Technology Specialist. I am a qualified person because I have worked in the field of computer forensics for 11 years, I have been trained in the process of forensic data collection, and have made hundreds of forensic images. My current duties include the authorized imaging or extracting of data from numerous types of electronic devices, including mobile devices, cellular telephones, and computers. Because of my position and specialized training, I am authorized and qualified to make this declaration as a “qualified person” under Fed. R. Evid. 902(14).

I certify that the attached data is a true copy of the original data described below, as shown by the following:

- a. The original data was extracted from a Black Olympus VN-541PC 4.0GB Digital Recorder bearing serial number 100648315.
- b. The extracted data was verified to be a true copy of the original data by a process of digital identification, to wit: the data was collected by connecting the device to a write blocker, which was then connected to a laptop by USB. An Encase physical image was made using AccessData FTK Imager, which uses a proprietary method to extract the data. The data was then processed with OpenText EnCase and Magnet Axion software, which uses a proprietary method to process the data.
- c. The review product below is a processed copy of the data extracted that I am certifying:
 1. 100648315.E01 (Exhibit # 120).
- d. I further certify that Government Exhibit 116 consists of files and other information extracted from the above-described electronic device.

I further state that this certification is intended to satisfy Fed. R. Evid. 902(14).


Affiant

02/08/2023
Date

EXHIBIT G

Certificate of Authenticity Pursuant to Federal Evidence Rule 902(14)

I, Bradley Leonard, attest, under the penalty of perjury by the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information contained in this certification is true and correct. I am employed by the Department of Justice – Office of Inspector General, and my title is Lead Information Technology Specialist. I am a qualified person because I have worked in the field of computer forensics for 11 years, I have been trained in the process of forensic data collection, and have made hundreds of forensic images. My current duties include the authorized imaging or extracting of data from numerous types of electronic devices, including mobile devices, cellular telephones, and computers, including Apple iMac computers. Because of my position and specialized training, I am authorized and qualified to make this declaration as a “qualified person” under Fed. R. Evid. 902(14).

I certify that the attached data is a true copy of the original data described below, as shown by the following:

- a. The original data was extracted from an Apple iPhone 5s bearing IMEI 013967000516372.
- b. The extracted data was verified to be a true copy of the original data by a process of digital identification, to wit: the data was collected using a Graykey device and extraction software, which uses a proprietary method to extract the data. The data was then processed using software from Cellebrite and Magnet Axiom software, which uses a proprietary method to process the data.
- c. The review product below is a processed copy of the data extracted that I am certifying:
 1. Device24 – iPhone 5s examination report.pdf (Exhibit # 121).
- d. I further certify that Government Exhibit 29 consists of files and other information extracted from the above-described electronic device.

I further state that this certification is intended to satisfy Fed. R. Evid. 902(14).


Affiant

02/08/2023
Date

EXHIBIT H

Certificate of Authenticity Pursuant to Federal Evidence Rule 902(14)

I, Bradley Leonard, attest, under the penalty of perjury by the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information contained in this certification is true and correct. I am employed by the Department of Justice – Office of Inspector General, and my title is Lead Information Technology Specialist. I am a qualified person because I have worked in the field of computer forensics for 11 years, I have been trained in the process of forensic data collection, and have made hundreds of forensic images. My current duties include the authorized imaging or extracting of data from numerous types of electronic devices, including mobile devices, cellular telephones, and computers. Because of my position and specialized training, I am authorized and qualified to make this declaration as a “qualified person” under Fed. R. Evid. 902(14).

I certify that the attached data is a true copy of the original data described below, as shown by the following:

- a. The original data was extracted from an Apple iPhone 6s Plus bearing IMEI 353297073695418.
- b. The extracted data was verified to be a true copy of the original data by a process of digital identification, to wit: the data was collected using a Graykey device and extraction software, which uses a proprietary method to extract the data. The data was then processed using software from Cellebrite and Magnet Axiom software, which uses a proprietary method to process the data.
- c. The review product below is a processed copy of the data extracted that I am certifying:
 1. Device25 – iPhone 6s+ examination report.pdf (Exhibit # 122).
- d. I further certify that Government Exhibits 88 and 124 consists of files and other information extracted from the above-described electronic device.

I further state that this certification is intended to satisfy Fed. R. Evid. 902(14).



Affiant

02/08/2023
Date